

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JESSE VIZCAINO,

Plaintiff,

No. CIV S-05-0132 MCE KJM PS

vs.

SUPREME COURT OF GUAM,

Defendant.

FINDINGS & RECOMMENDATIONS

By order filed May 3, 2005, plaintiff's complaint was dismissed and thirty days leave to file an amended complaint was granted. On August 23, 2005, plaintiff was granted a thirty day extension of time. On August 29, 2005, plaintiff filed a document entitled "Federal Reentry," which does not comply with the court's May 3, 2005 order. The time for filing an amended complaint has now expired, and plaintiff has not filed an amended complaint.

IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. See Local Rule 11-110; Fed. R. Civ. P. 41(b).

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within ten days after being served with these findings and recommendations, plaintiff may file written objections with the court. The document should be captioned "Objections to Magistrate Judge's Findings

1 and Recommendations.” Plaintiff is advised that failure to file objections within the specified  
2 time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153  
3 (9th Cir. 1991).

4 DATED: October 25, 2005.

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7 UNITED STATES MAGISTRATE JUDGE  
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